

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:	Atty. Docket No.:	003797.00715
Kelly E. ROLLIN		
Serial No.: 10/713,429	Group Art Unit:	2161
Filed: November 17, 2003	Examiner:	Leroux, E.
For: TRANSFER OF USER PROFILES USING PORTABLE STORAGE DEVICES	Confirmation No.:	2729

DECLARATION UNDER 37 C.F.R. § 1.131

U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

We, Kelly E. Rollin, Stephane St-Michel, Christopher John Guzak, Giles van der Bogert, and Brian D. Wentz, hereby declare as follows:

- 1) We are named as joint inventors of the above-identified patent application.
- 2) We were employed by Microsoft Corporation (Microsoft) during conception and development of the inventions in the above-identified application.
- 3) Microsoft is the assignee of the above-identified application.
- 4) Prior to June 30, 2003, the filing date of U.S. Patent Application Publication No. 2004/0268148, we reduced to practice the invention recited in the pending claims 28-63 of the above-identified application,
- 5) Reduction to practice is evidenced by the operation of a software program which generated a series of screen shots, Exhibits A-F, that are displayed in response to a series of user interactions with a personal computer (PC). The screen shots show implementation of the portable user profile feature and were taken from a personal computer (PC) running an alpha version of the Windows Longhorn operating system. The date of the version of

Windows provided on the bottom right of each of the screenshots was prior to June 30, 2003 and has been redacted.

- 6) Exhibit A demonstrates reduction to practice of at least independent claims 28, 40, and 52 prior to June 30, 2003 as discussed below. In response to a user inserting a portable storage device such as a removable disk in the PC, the PC automatically detects the newly available memory device and scans the removable disk to determine whether an existing user profile exists as would be readily appreciated by one of ordinary skill in the art from the content of the dialog shown in the auto play screen shown in Exhibit A. If no user profile exists, the PC launches the portable user profile (“PUP”) auto play screen with the dialog “Removable Disk – UFC” shown in Exhibit A. One of the options the user may select from the dialog is to “Create Portable User Profile using Windows PUP Sync”.
- 7) Reduction to practice of at least claims 29-32, 34-38, 41-44, 46-50, 53-56, and 58-62 is apparent from Exhibit B and C. Responsive to selection of the “Create Portable User Profile using Windows PUP Sync” option from the dialog in Exhibit A, the PUP set up screen shown in Exhibit B with the “Setup Synchronization” dialog is displayed. The PUP set up screen shown in Exhibit B allows the user to identify which content to synchronize from the user profile on the PC with the portable user profile being created on the removable disk. Types of content that may be selected from the set up Synchronization dialog shown in Exhibit B include: Documents, Music, Photos, Video, and Preferences & Settings. Also, the dialog provides the user with an indication as to the total capacity of the removable disk, the memory space currently available on the disk and the memory space available after applying the settings to inform the user that there is sufficient memory available to store the selected content for the portable user profile. Selecting the Synchronize button from the dialog causes the selected content files on the PC to be synchronized with or written to a portable user profile on the removable disk as reflected in Exhibit C. Exhibits D-F are provided to demonstrate navigating to the contents of the removable disk following the synchronization operation, and in particular the portable user profile data folder.
- 8) The alpha version of the Windows Longhorn operating system reduced to practice the features of at least independent claims 28, 40 and 52 and many of the dependent claim features. To the extent that we may not have reduced to practice every feature of the claims

which depend from claims 28, 40 and 52 including claims 33, 39, 45, 51, 57 and 63, we submit that it would have been apparent to those skilled in the art that we had established a prototype which could have easily been modified to realize any such feature and/or that it would have been obvious as to how to modify our prototype to achieve and realize such a feature.

- 9) The screen shots from the operating prototype depicted in Exhibits A-F have not been altered since they were originally prepared except for the redaction of references to dates.
- 10) Each of us individually represents that we are over 18 years of age and of competent mind.
- 11) All statements made of our own knowledge are true and all statements made on information and belief are believed to be true; and further, these statements were made with the knowledge that willful, false statement so made are punishable by fine or imprisonment or both, under 18 U.S.C. § 1001 and that such willful, false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

Respectfully submitted,

/Kelly E. Rollin/
Kelly E. Rollin

September 22, 2006
Date

Stephane St-Michel

Date _____

Christopher John Guzak

Date _____

Giles van der Bogert

Date _____

Brian D. Wentz

Date _____

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Windows provided on the bottom right of each of the screenshots was prior to June 30, 2003 and has been redacted.

- 6) Exhibit A demonstrates reduction to practice of at least independent claims 28, 40, and 52 prior to June 30, 2003 as discussed below. In response to a user inserting a portable storage device such as a removable disk in the PC, the PC automatically detects the newly available memory device and scans the removable disk to determine whether an existing user profile exists as would be readily appreciated by one of ordinary skill in the art from the content of the dialog shown in the auto play screen shown in Exhibit A. If no user profile exists, the PC launches the portable user profile (“PUP”) auto play screen with the dialog “Removable Disk – UFC” shown in Exhibit A. One of the options the user may select from the dialog is to “Create Portable User Profile using Windows PUP Sync”.
- 7) Reduction to practice of at least claims 29-32, 34-38, 41-44, 46-50, 53-56, and 58-62 is apparent from Exhibit B and C. Responsive to selection of the “Create Portable User Profile using Windows PUP Sync” option from the dialog in Exhibit A, the PUP set up screen shown in Exhibit B with the “Setup Synchronization” dialog is displayed. The PUP set up screen shown in Exhibit B allows the user to identify which content to synchronize from the user profile on the PC with the portable user profile being created on the removable disk. Types of content that may be selected from the set up Synchronization dialog shown in Exhibit B include: Documents, Music, Photos, Video, and Preferences & Settings. Also, the dialog provides the user with an indication as to the total capacity of the removable disk, the memory space currently available on the disk and the memory space available after applying the settings to inform the user that there is sufficient memory available to store the selected content for the portable user profile. Selecting the Synchronize button from the dialog causes the selected content files on the PC to be synchronized with or written to a portable user profile on the removable disk as reflected in Exhibit C. Exhibits D-F are provided to demonstrate navigating to the contents of the removable disk following the synchronization operation, and in particular the portable user profile data folder.
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which depend from claims 28, 40 and 52 including claims 33, 39, 45, 51, 57 and 63, we submit that it would have been apparent to those skilled in the art that we had established a prototype which could have easily been modified to realize any such feature and/or that it would have been obvious as to how to modify our prototype to achieve and realize such a feature.

- 9) The screen shots from the operating prototype depicted in Exhibits A-F have not been altered since they were originally prepared except for the redaction of references to dates.
- 10) Each of us individually represents that we are over 18 years of age and of competent mind.
- 11) All statements made of our own knowledge are true and all statements made on information and belief are believed to be true; and further, these statements were made with the knowledge that willful, false statement so made are punishable by fine or imprisonment or both, under 18 U.S.C. § 1001 and that such willful, false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

Respectfully submitted,

Kelly E. Rollin

Date

/Stephane St-Michel/
Stephane St-Michel

2006-09-13
Date

Christopher John Guzak

Date

Giles van der Bogert

Date

Brian D. Wentz

Date

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Windows provided on the bottom right of each of the screenshots was prior to June 30, 2003 and has been redacted.

- 6) Exhibit A demonstrates reduction to practice of at least independent claims 28, 40, and 52 prior to June 30, 2003 as discussed below. In response to a user inserting a portable storage device such as a removable disk in the PC, the PC automatically detects the newly available memory device and scans the removable disk to determine whether an existing user profile exists as would be readily appreciated by one of ordinary skill in the art from the content of the dialog shown in the auto play screen shown in Exhibit A. If no user profile exists, the PC launches the portable user profile (“PUP”) auto play screen with the dialog “Removable Disk – UFC” shown in Exhibit A. One of the options the user may select from the dialog is to “Create Portable User Profile using Windows PUP Sync”.
- 7) Reduction to practice of at least claims 29-32, 34-38, 41-44, 46-50, 53-56, and 58-62 is apparent from Exhibit B and C. Responsive to selection of the “Create Portable User Profile using Windows PUP Sync” option from the dialog in Exhibit A, the PUP set up screen shown in Exhibit B with the “Setup Synchronization” dialog is displayed. The PUP set up screen shown in Exhibit B allows the user to identify which content to synchronize from the user profile on the PC with the portable user profile being created on the removable disk. Types of content that may be selected from the set up Synchronization dialog shown in Exhibit B include: Documents, Music, Photos, Video, and Preferences & Settings. Also, the dialog provides the user with an indication as to the total capacity of the removable disk, the memory space currently available on the disk and the memory space available after applying the settings to inform the user that there is sufficient memory available to store the selected content for the portable user profile. Selecting the Synchronize button from the dialog causes the selected content files on the PC to be synchronized with or written to a portable user profile on the removable disk as reflected in Exhibit C. Exhibits D-F are provided to demonstrate navigating to the contents of the removable disk following the synchronization operation, and in particular the portable user profile data folder.
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- 11) All statements made of our own knowledge are true and all statements made on information and belief are believed to be true; and further, these statements were made with the knowledge that willful, false statement so made are punishable by fine or imprisonment or both, under 18 U.S.C. § 1001 and that such willful, false statements may jeopardize the validity of the above-identified application or any patent issuing thereon.

Respectfully submitted,

Kelly E. Rollin

Date

Stephane St-Michel

Date

/Christopher John Guzak/
Christopher John Guzak

9/25/06
Date

Giles van der Bogert

Date

Brian D. Wentz

Date

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Windows provided on the bottom right of each of the screenshots was prior to June 30, 2003 and has been redacted.

- 6) Exhibit A demonstrates reduction to practice of at least independent claims 28, 40, and 52 prior to June 30, 2003 as discussed below. In response to a user inserting a portable storage device such as a removable disk in the PC, the PC automatically detects the newly available memory device and scans the removable disk to determine whether an existing user profile exists as would be readily appreciated by one of ordinary skill in the art from the content of the dialog shown in the auto play screen shown in Exhibit A. If no user profile exists, the PC launches the portable user profile (“PUP”) auto play screen with the dialog “Removable Disk – UFC” shown in Exhibit A. One of the options the user may select from the dialog is to “Create Portable User Profile using Windows PUP Sync”.
- 7) Reduction to practice of at least claims 29-32, 34-38, 41-44, 46-50, 53-56, and 58-62 is apparent from Exhibit B and C. Responsive to selection of the “Create Portable User Profile using Windows PUP Sync” option from the dialog in Exhibit A, the PUP set up screen shown in Exhibit B with the “Setup Synchronization” dialog is displayed. The PUP set up screen shown in Exhibit B allows the user to identify which content to synchronize from the user profile on the PC with the portable user profile being created on the removable disk. Types of content that may be selected from the set up Synchronization dialog shown in Exhibit B include: Documents, Music, Photos, Video, and Preferences & Settings. Also, the dialog provides the user with an indication as to the total capacity of the removable disk, the memory space currently available on the disk and the memory space available after applying the settings to inform the user that there is sufficient memory available to store the selected content for the portable user profile. Selecting the Synchronize button from the dialog causes the selected content files on the PC to be synchronized with or written to a portable user profile on the removable disk as reflected in Exhibit C. Exhibits D-F are provided to demonstrate navigating to the contents of the removable disk following the synchronization operation, and in particular the portable user profile data folder.
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Kelly E. Rollin

Date

Stephane St-Michel

Date

Christopher John Guzak

Date

/Giles van der Bogert/
Giles van der Bogert

9/11/2006
Date

Brian D. Wentz

Date

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Date

Stephane St-Michel

Date

Christopher John Guzak

Date

Giles van der Bogert

Date

/Brian D. Wentz/
Brian D. Wentz

9/22/06
Date

EXHIBIT A

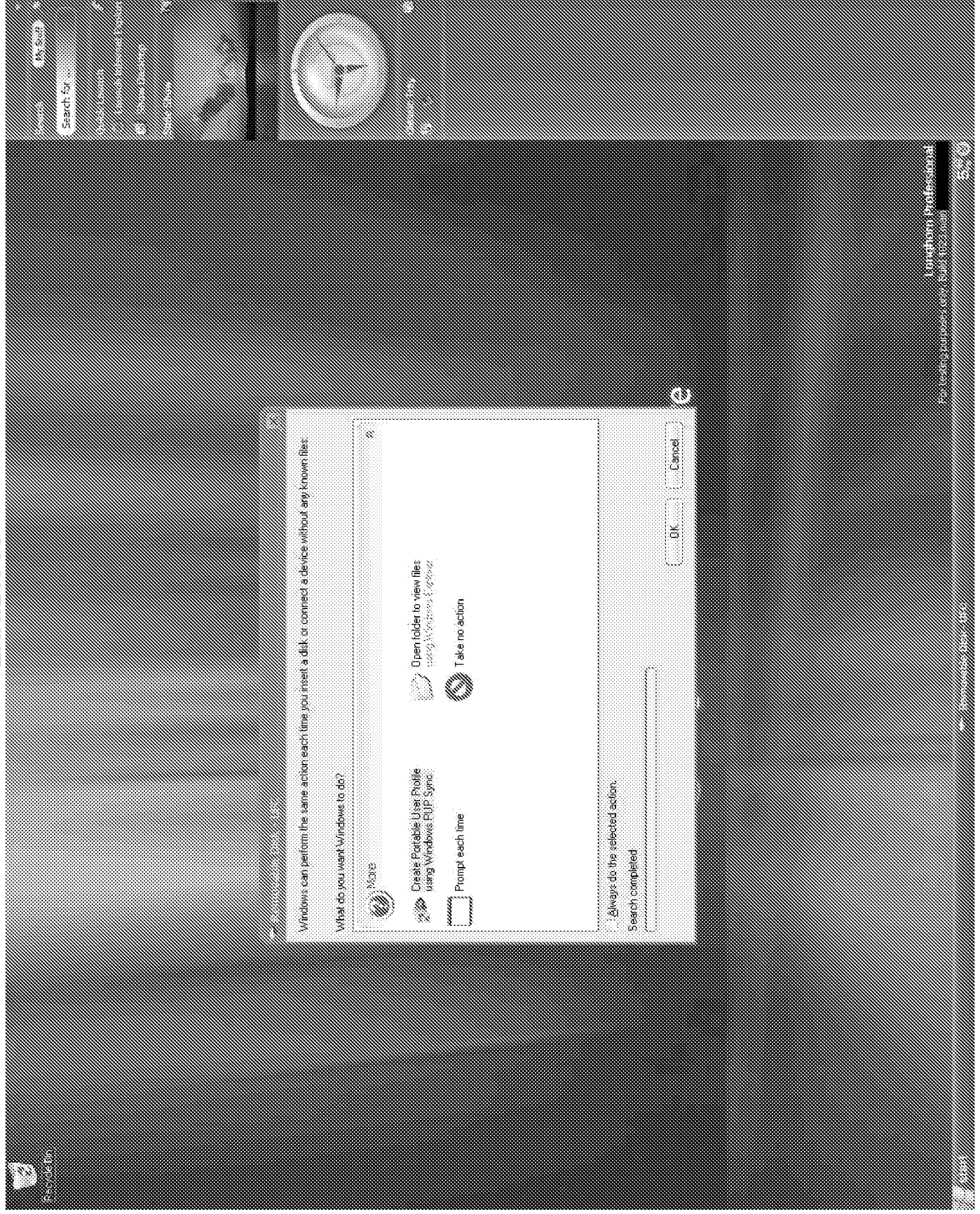


EXHIBIT B

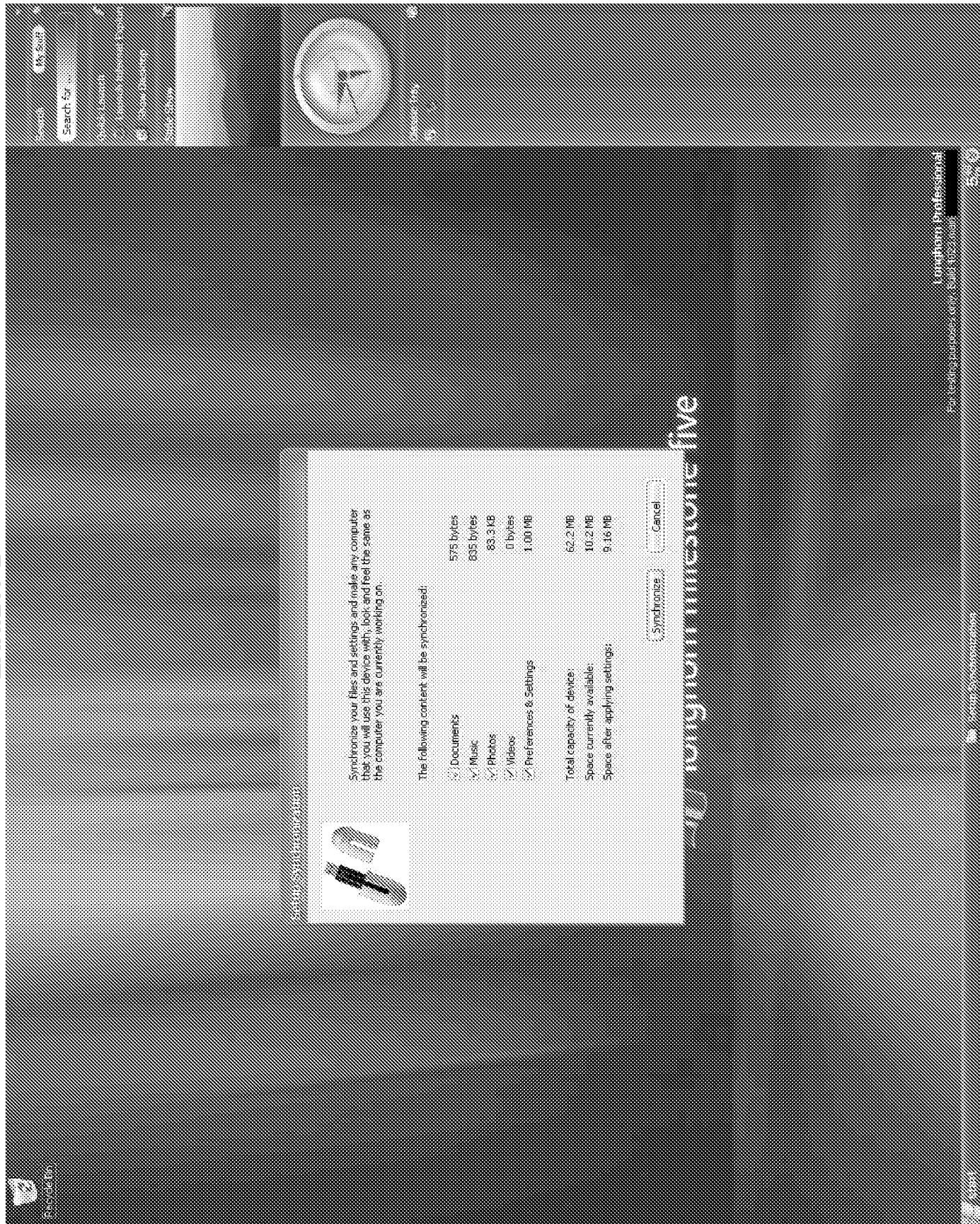


EXHIBIT C

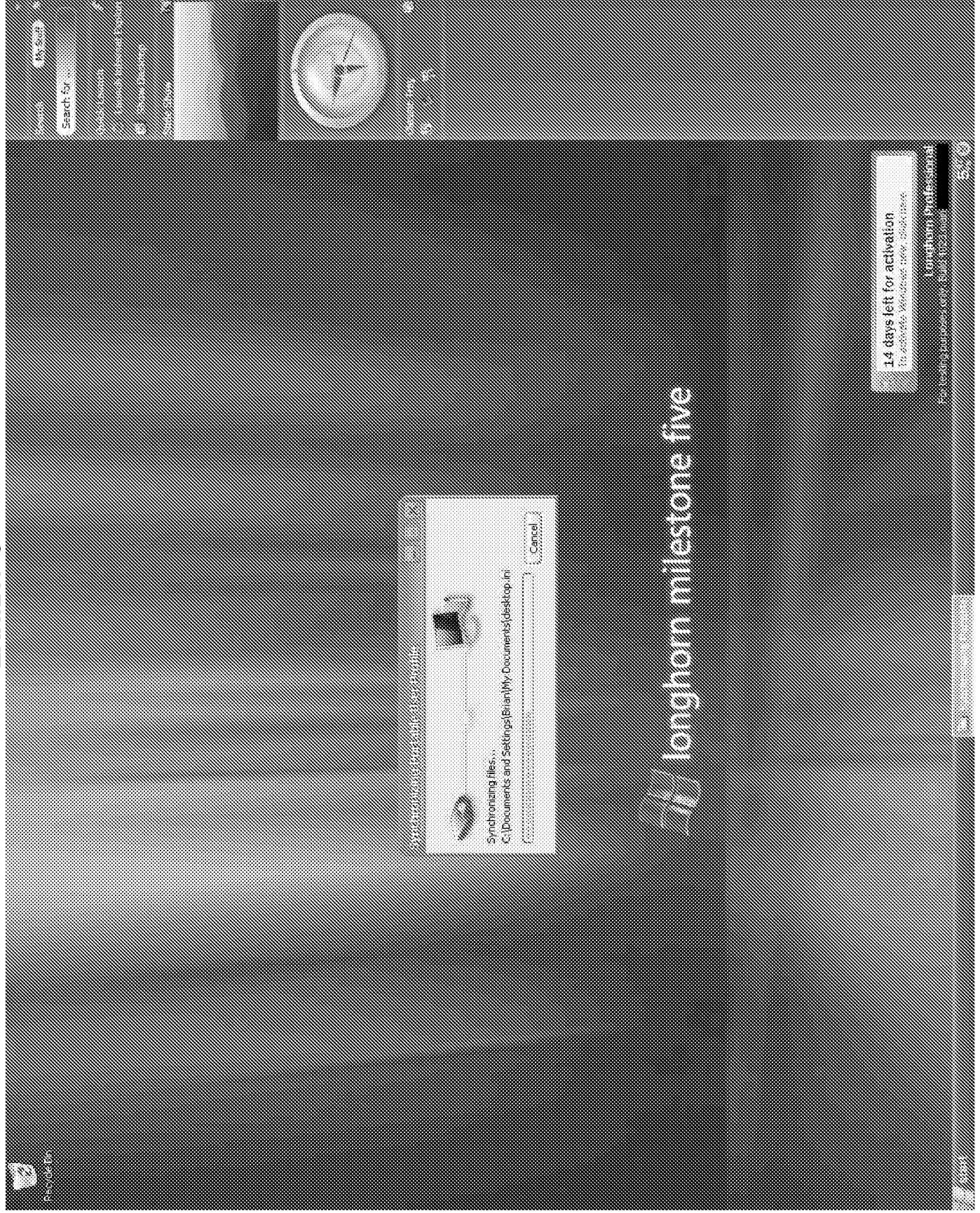


EXHIBIT E

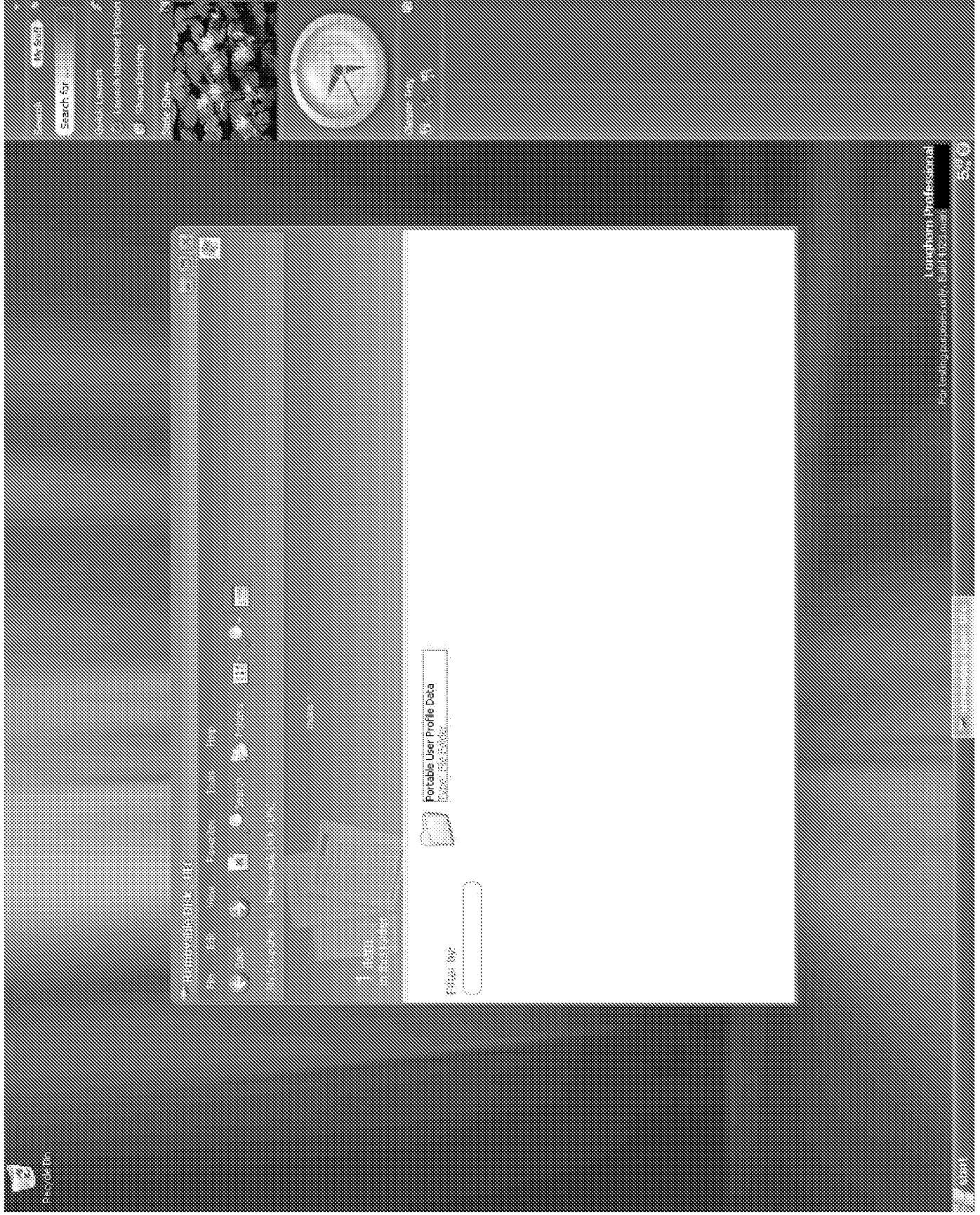


EXHIBIT F

